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ATTORNEYS FOR HC-7502 GREENVILLE AVENUE, LLC

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:	§	Chapter 7
	§	
WALNUT HILL PHYSICIANS’ HOSPITAL, LLC,	§	Case No. 17:32255-bjh-7
	§	
Debtor.	§	
	§	
SCOTT M. SEIDEL, TRUSTEE,	§	Adversary Proceeding No. 18-03219-bjh
	§	
Plaintiff,	§	
	§	
v.	§	
	§	
HC-7502 GREENVILLE AVENUE, LLC, AND CAPITAL ONE, N.A.,	§	
	§	
Defendants.	§	

MOTION TO DISMISS COMPLAINT

Pursuant to Federal Rule of Civil Procedure 12(b)(6), which is made applicable to this Adversary Proceeding by Federal Rule of Bankruptcy Procedure 7012(b), Defendant HC-7502 Greenville Avenue, LLC (the "Landlord") files this *Motion to Dismiss Complaint* (the "Motion") and would show the following:

1. Each of the items required by Local Rule 7007-1 are set forth in Landlord's *Brief in Support of Motion to Dismiss Complaint* (the "Brief").

2. For the reasons set forth in the Brief, which are incorporated herein by reference, the Court should grant this Motion and dismiss the *Complaint* (the "Complaint") [Docket No. 1].

WHEREFORE, PREMISES CONSIDERED, HC-7502 Greenville Avenue, LLC respectfully requests that the Court: (i) grant the Motion; (ii) dismiss the Complaint for the reasons set forth in the Brief; and (ii) grant HC-7502 Greenville Avenue, LLC such further relief as is just and proper both at law and in equity.

DATED: August 28, 2018

Respectfully submitted,

By: /s/ Rakhee V. Patel
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AVENUE, LLC**

CERTIFICATE OF SERVICE

I hereby certify that on August 28, 2018, a true and correct copy of the foregoing was electronically mailed to the parties that are registered or otherwise entitled to receive electronic notices in this case.

/s/ Annmarie Chiarello

Annmarie Chiarello